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GENENCOR LEGAL → 17038729306

NO. 862

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**FAX COVER SHEET**

☐ Urg nt  
☐ Confidential  
☐ Action Required  
☐ Reply Requested  
☐ For Your Info.

**TO:** Sheridan Swope  
PTO Examiner

**LOCATION:** Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**Fax No.:** Before Final 703 872-9306

**FROM:** H. Thomas Anderton, Jr.  
Patent Counsel

**LOCATION:** GENENCOR INTERNATIONAL, INC.  
Legal Department  
925 Page Mill Road  
Palo Alto, CA 94304-1013  
Tel: 650-846-7544  
Fax: 650-845-6504

**DATE:** October 2, 2003 "10"

**NUMBER OF PAGES TO FOLLOW:** SENT BY: klg

USSN 10/022,073

Our Ref.: GC713

Attached are: Preliminary Amendment and Copy of Notice of Non-Compliant Amendment

The original of this facsimile will be sent to you via:

☐ Regular Mail ☐ Overnight Mail ☐ Hand Delivery ☒ Will Not Be Sent

☐ Please Initial acknowledgment of receipt by return facsimile \_\_\_\_\_

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## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. Box 1450  
ALEXANDRIA, VA 22313-1450  
www.uspto.gov

Paper No.

## Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 10-2-03 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 30, 2003 (see 68 Fed. Reg. 38611, Jun. 30, 2003). In order for the amendment document to be compliant, correction of the following item(s) is required. Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted. 37 CFR 1.121(h).

## THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☐ C. Other \_\_\_\_\_
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_
- ☐ 3. Amendments to the drawings: \_\_\_\_\_
- ☒ 4. Amendments to the claims:
- ☒ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all claims (including withdrawn claims)
  - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified.
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☐ E. Other: \_\_\_\_\_

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given **ONE MONTH** from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this **ONE MONTH** time limit is not extendable.

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION** (including a submission for an RCE), and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a **TIME PERIOD** of **ONE MONTH** from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.

Legal Instruments Examiner (LIE)

Telephone No.

Rev. 10/03

NO. 862 0003  
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I hereby certify that this correspondence is being sent by facsimile transmission in accordance with § 1.6(d) addressed to the (Before Final 703-872-9306) Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Date: November 4, 2003

By: 

Kay L. Gaviglio

**PATENT**  
**Docket No. GC713**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of	)	
	)	
Chen et al.	)	Group Art Unit: 1652
	)	
Serial No.: 10/022,073	)	Examiner: Swope, Sheridan
	)	
Filed: December 13, 2001	)	
	)	
For: <b>TARGETED ENZYMES</b>	)	

**PRELIMINARY AMENDMENT**

Mail Stop Amendment  
Commissioner of Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the notice of Non-Compliant Amendment (37 CFR 1.121) mailed October 16, 2003, please amend the above-captioned application as follows:

**IN THE CLAIMS**

1. (AMENDED) Pharmaceutical composition comprising a targeted enzyme (TE) and a pharmaceutically acceptable carrier, excipient or diluent, said TE exhibiting a catalytic activity and comprising:

- a) a substrate recognition site; and
- b) a targeting site that binds a target;

wherein

- i) the targeting site comprises a variant sequence, the variant sequence being between 1 and 50 amino acids, that is derived from a variation-tolerant sequence of a corresponding pre-targeted enzyme, wherein the variation-tolerant sequence comprises a loop;